

HARRISON COUNTY UTILITY AUTHORITY
BOARD MEETING
September 2, 2021

Be it remembered that a meeting of the Harrison County Utility Authority Board of Directors was held on September 2, 2021, at 9:00 a.m. at the Harrison County Utility Authority Board Room, at 10271 Express Drive in Gulfport, Mississippi. In attendance were:

BOARD AND STAFF:

Mayor Billy Hewes, City of Gulfport, Director
Mayor Jimmy Rafferty, City of Pass Christian, Director
Mayor Andrew "Fofa" Gilich, City of Biloxi, Director
Mayor George Bass, City of Long Beach, Director
Mr. Al Gombos, representing the City of D'Iberville
Supervisor Marlin Ladner, Harrison County (1), Director
Mr. John Wilson, Executive Director, HCUA
Ms. Cindy Breaux, Chief Financial Officer, HCUA
Mr. Alan Lane, Solid Waste Coordinator, HCUA
Ms. Sheila Marsh, Office Manager, HCUA
Mr. Derek Bullock, Engineering Project Manager, HCUA
Mr. James Simpson, Wise Carter, Attorneys and Esquire
Supervisor Connie Rockco, Harrison County (2), Director - via Telecom

ABSENT:

AUDIENCE:

Brett Pund, The Focus Group
Sam Williams, Waste Management
Shea Magee, Waste Management – via Telecom
Kirk Kimball, City of Pass Christian, Alderman-Ward 3
Derrel Wilson, H2O
Cara Wagner, Pickering Firm Inc.

Letters of Designations are attached hereto as exhibit "A".

There being a quorum sufficient to transact business of the Authority, Mayor Andrew "Fofa" Gilich, representing City of Biloxi, called the meeting to order. The following proceedings were had and done.

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A. Opening Prayer and Pledge of Allegiance

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Mayor Andrew "Fofo" Gilich, addressed need for Amendment to Agenda, added item F2c, Emergency Declaration – Hurricane Ida.

Mayor Billy Hewes made motion for Amendment to Agenda, added item F2c, Emergency Declaration - Hurricane Ida, seconded by Mayor George Bass. A vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed to amend agenda, added item F2c, Emergency Declaration - Hurricane Ida.

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B. Public Hearing for FY22 Budget

Mr. John Wilson explained the Public Hearing offers the opportunity for the public to comment or ask questions about the FY22 Budget that was advertised on (2) two occasions. Up to this point, no public comments have been made, nor have there been any request to review the FY22 Budget from the public.

Mayor Andrew "Fofo" Gilich noted Public Meeting open for public comments.

No public comments were made.

Mayor Billy Hewes made a motion to close the Public Hearing for FY22 Budget, seconded by Mr. Al Gombos. A vote resulted in the following:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of notice, Public Hearing for FY22 Budget, is attached hereto as exhibit "B".

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C. Public Comments

Mayor Andrew "Fofo" Gilich opened the floor for public comments.

There were no public comments.

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D. Approval of the Claims Docket dated September 2, 2021

Mr. Al Gombos made a motion to approve the Claims Docket dated September 2, 2021, seconded by Mayor George Bass. A vote resulted in the following:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of Approval of the Claims Docket dated September 2, 2021, is attached hereto as exhibit "C".

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E. Approval of Board Meeting Minutes dated August 19, 2021

Mayor George Bass made a motion to approve the Board Meeting Minutes dated August 19, 2021, seconded by Supervisor Marlin Ladner. A vote resulted in the following:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of Board Meeting Minutes dated August 19, 2021, is attached hereto as exhibit "D".

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F. Action Items

1. Old Business

F1a. Waste Management Disposal – CPI Adjustment FY22

Mr. John Wilson explained that at the last Board Meeting (September 2, 2021), Waste Management Disposal – CPI Adjustment FY22 discussion involved information about the request from Waste Management for a CPI increase of 6.12% per contract, and Mr. Sam Williams with Waste Management modified the request to a 3% CPI increase and Mr. John Wilson recommended a 2% CPI increase.

Mr. John Wilson explained the current rate for Waste Management is \$14.64 a ton plus \$1 per ton to equal \$15.64 a ton. The State of Mississippi gets the \$1 per ton.

Mayor Billy Hewes asked if there would be a request from Waste Management every year for a CPI increase and if leachate could be treated at the landfill.

Mr. Sam Williams noted there would be a request for CPI increase every year. Mr. Williams added that currently leachate is hauled 133 miles one way every day and treatment is possible at the land fill.

Mr. John Wilson explained that in past, an amount of leachate would be delivered to a treatment facility and slowly fed in, even though the quantity was a small amount, the character of the quantity was huge and a factor in the end result and the result was not a positive result in the process. Options now include pretreatment options in land fill and then feed leachate in at a treatment plant. Another option would be at Keegan Bayou Plant. Keegan Bayou Plant has (4) four sbr's but only (3) three are in service. The (4th) fourth sbr could be service and use rehab. Issues involved include figuring out a way to treat fluid and separate sludge, and test flow. Pecan Grove land fill is North of an existing Wastewater Treatment Facility, if leachate is pretreated on site, it can be pumped to Delisle Plant and the Plant could complete the process. H2O has inquired about using a pretreatment package, Silos, but that does involve an upfront cost. If leachate is pretreated in landfill and hauled to plant, as time goes on, leachate will dilute. Mr. Wilson noted that if a treatment plant provides continuous permanent and consistent services, the need for pretreatment standards will be required.

Mr. Sam Williams explained that Waste Management is willing to invest in the pipeline and sewer method to assist the county in managing leachate.

Mayor Billy Hewes requested clarification on the current rate CPI rate to Waste Management.

Mr. John Wilson advised the current rate of the contract will stay in place until the rate is changed. If an adjustment is made to the rate, the new rate would be in effect, October 1, 2021.

Mr. Sam Williams noted, the original contract, begin 2015, and it is a (10) ten year contract, with (5) five year options, total of (30) thirty years.

Mr. Al Gombos noted that all future requests and agreements should be made in writing and any service agreements or contracts that exceed service contract with member agencies, should be reviewed.

Mr. John Wilson explained that Mr. Sam Williams does not want to add any more expense into pretreatment but instead deliver the leachate to the treatment plant.

Mayor Billy Hewes noted that it makes sense to pretreat and pipeline leachate to a plant facility, as a business model decision, but the question, is it required the Board has to make an option available. Mayor Hewes added that there are no commitment documents, and there needs to be a long term solution to address cost factors that have been identified and what is the plan and timeline.

Supervisor Marlin Ladner addressed Mr. Sam Williams and asked if Mr. John Wilson sets standards for pretreating leachate would Waste Management proceed with pretreating.

Mr. Sam Williams replied, "yes".

Mr. Gombos also noted that board has already adopted a sewer use regulation that sets pretreatment standards.

First motion was made by Supervisor Marlin Ladner, Waste Management Disposal – CPI Adjustment FY22, for 2% CPI increase, seconded by Mayor George Bass. No vote was taken. Later during continued discussion of CPI increase and leachate treatment plan, Mayor Andrew "Fofu" Gilich noted that discussion was leading to previous motion of 2% CPI increase motion to a substitute motion of 3% CPI increase.

Mayor Billy Hewes explained to Mr. Sam Williams, if the vote moving forward failed, but a plan of action is presented for pre-treatment on site and piping to Delisle with a timeline, Mayor Hewes committed to change his vote from nay to aye.

Mr. Simpson, Counsel, explained he would need time to review this motion and vote since rate changes require a unanimous vote and he would provide letter on result of vote for CPI increase.

Mr. John Wilson explained that the CPI adjustment in budget currently is for a CPI increase and Budget can be approved as is, continue to pay Waste Management at same rate until Waste Management can supply what is required and then approve at that time for CPI increase.

Mayor Billy Hewes suggested that Board could adopt 3% increase provided Board agrees to plan submitted by Waste Management.

Supervisor Connie Rockco made substitute motion for Waste Management Disposal – CPI Adjustment FY22, from 2% CPI increase to a 3% CPI increase, as long as the plan submitted by

Waste Management, for leachate process and plan, is agreed by Board, seconded by Mayor Jimmy Rafferty. A vote resulted in the following:

Biloxi	voted	aye
Gulfport	voted	nye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The substitute motion is in question and will be clarified by Mr. James Simpson. A letter will be provided by Mr. Simpson. A copy of Waste Management Disposal – CPI Adjustment FY22, is attached hereto as exhibit “E”.

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F1b. Nicholson Pumps – Award- Documentation for Qualifications

Mr. John Wilson explained that the Nicholson Pumps Award was previously voted on as “Approved” by the Board, as long as, Pickering Firm, Inc. provided further documents regarding specifications of the pumps. Mr. Wilson noted there were two other vendors interested in the bid, but the closest pumps submitted but the other (2) two vendors, did not meet the specifications for the pumps advertised. The pump specifications required a pump with 75 hp and high head condition. Only one vendor bid, the process was followed, submittals received and Pickering provide requested letter (not included in the agenda package but provided at the current Board Meeting), and procurement was followed.

Mr. Al Gombos made a motion to approve Nicholson Pumps – Award- Documentation for Qualifications, seconded by Supervisor Marlin Ladner. A vote resulted in the following:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of Nicholson Pumps – Award- Documentation for Qualifications, is attached hereto as exhibit “F”.

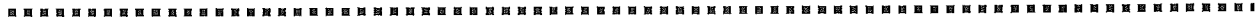
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F1c. Corrected House Count / -26 Houses/Biloxi

Mr. Al Gombos made a motion to approve the Corrected House Count / -26 Houses/Biloxi, seconded by Mayor Andrew “Fofu” Gilich. A vote resulted in the following:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of the Corrected House Count / -26 Houses/Biloxi, is attached hereto as exhibit "G".



F1d. FY22 Budget – 3rd Draft – Final

Mr. John Wilson noted that FY 22 Budget is 3rd and final draft. Request for approval on budget with adjustment for Waste Management, adjustment change from 2% CPI increase to 3% CPI increase.

Supervisor Marlin Ladner requested clarification if the \$1.9 million was deducted from Harrison County's budget.

Mr. Wilson confirmed that the \$1.9 million was deducted from Harrison County's budget, projects deducted were (2) two sewer projects and 1 water project.

Supervisor George Bass made a motion to approve the FY22 Budget – 3rd Draft – Final, with adjustment to increase 2% CPI increase to 3% CPI increase for Waste Management, seconded by Supervisor Connie Rockco. A vote resulted in the following:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of FY22 Budget – 3rd Draft – Final, is attached hereto as exhibit "H".



2. New Business

F2a. Focus Contract FY22

Mr. John Wilson recommended renew the marketing contract for one year, no price change. Prior 2017 recycling rate was 7% and has increased to a 35% recycling rate due to The Focus Group Marketing.

Mr. Alan Lane noted, 3,900 tons a year is not going into land fill.

Supervisor Marlin Ladner request more focus in marketing on debris pick up and disposal by Pelican including criteria and guidelines for the public.

Supervisor Connie Rockco noted to include communication with Harrison County Beautification Department for unincorporated areas.

Mr. Al Gombos made a motion to approve the Focus Contract FY22, seconded by Mayor Billy Hewes. A vote resulted in the following:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of Focus Contract FY22, is attached hereto as exhibit "I".

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F2b. Allied – CL2 &S02 Gas Contract – Status

Mr. John Wilson explained there may be pending issues involving costs. Adjustments are included in the budget if required. Currently the plan is to move ahead with Allied and refuse increase requested. Availability of products, price and transportation may be an issue.

No action required. A copy of Allied – CL2 &S02 Gas Contract – Status, is attached hereto as exhibit "J".

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F2c. Emergency Declaration – Hurricane Ida

Mr. John Wilson requested approval from Board for HCUA to declare a state of emergency. John added the emergency declaration would ensure the ability to seek FEMA/MEMA reimbursement for storm related damage to HCUA facilities.

Mayor George Bass made motion to approve Emergency Declaration – Hurricane Ida, seconded by Supervisor Connie Rockco. A vote resulted in the following:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of the Emergency Declaration – Hurricane Ida, is attached hereto as exhibit “K”.

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G. Solid Waste Report

Mr. Alan explained the monthly reports have been submitted and the recycling rate last month was at 34%. 3,900 tons of recycling is collected a year on average. Mr. Lane noted he would present information regarding the total number of tons collected since the contract in a future meeting.

No action taken. The Board accepted the Solid Waste Report as presented. A copy of the report is attached hereto as exhibit “L”.

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H. Executive Director’s Report

Mr. John Wilson explained that the Mississippi Health Department inspected the (4) four water systems. All water systems rated the highest rating of 5.0 in (5) separate areas. (2) two plants, Keegan Bayou and South Woolmarket, are nominated for plant of the year.

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I. Executive Session

Mr. Jim Simpson indicated that there was an update in a pending litigation matter to discuss in Executive Session.

Mr. Al Gombos made a motion to close the room for Executive Session, second by Supervisor Marlin Ladner.

The room was cleared for Executive Session.

Mayor Andrew “Fofo” Gilich noted regular session resume with attendees with no action taken in Executive Session.

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J. Adjourn – At this time Mr. Al Gombos made a motion to adjourn, seconded by Mayor George Bass. A vote resulted in the following:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion to adjourn passed.

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Harrison County Utility Authority



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